



AGENDA
DECEMBER 6, 2016
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD - LAVON, TEXAS
REGULAR MEETING
7:00 P.M.

- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT.**
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 3. ISSUANCE OF OATH OF OFFICE TO APPOINTED COUNCIL MEMBER – PLACE 2.**
- 4. CITIZENS COMMENTS**
Citizens, who wish to address the Council, may discuss matters not on the agenda and who have not previously expressed to the Council or City Hall a desire to discuss such matters. The only response from the Council can be to request these items to be placed on a future agenda for action.
- 5. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS**
Members of City Council have the opportunity to notify others of community events, functions and other activities.
- 6. CONSENT AGENDA**
Consent items are considered to be routine or non-controversial and will be voted on in one motion unless a council member requests separate discussion.
 - A. Approve the Minutes of the November 15, 2016 Meeting.**
- 7. PUBLIC HEARING**
Application of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant, location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas.
 1. Presiding Officer to open the Public Hearing.
 2. Presiding Officer to open floor to Public Comment for or against the application.
 3. Presiding Officer to close floor to Public Comment.
 4. Presiding Officer to close the Public Hearing.
- 8. DISCUSSION AND ACTION**
 - A. Discussion and action regarding Ordinance No. 2016-12-01 of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas, providing severability and cumulative clauses and providing an effective date.**

Lavon City Hall will provide reasonable accommodations for persons attending meetings. Please contact the City Secretary at 972-843-4220 no later than 48 hours prior to a meeting if you require special assistance | WiFi password: Guest2014

- B. Discussion and action regarding the final plat of the Lakeview Cemetery Addition consisting of a single lot on 2.27 acres in the Thomas F. Roberts Survey, Abstract No. 781, Collin County, Texas and situated northwest of the intersection of CR 486 and North Highway 78.
- C. Discussion and action regarding audit engagement Letter – Conway Company CPA
- D. Discussion and action on purchase of TRACTS 4, 29, 30 AND 31 OF THE SM RAINIER SURVEY, ABSTRACT 0740, Lavon, Texas, authorize the Mayor to execute documents necessary for purchase and closing of same, and make expenditures not to exceed \$57,000 for the purchase.

9. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

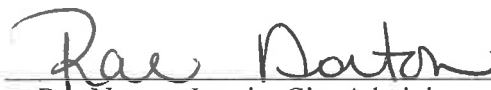
Council Members and staff may request items be placed on a future agenda or request a special meeting be called.

- A. Cancellation of the December 20th meeting
- B. January Meeting Schedule

10. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

1. Notice is hereby given that members of the Lavon Economic Development Corporation, Lavon Planning and Zoning Commission, Parks and Recreation Board, Infrastructure and Facilities Commission and Tax Increment Financing Zone #1 Board may be in attendance at the Lavon City Council Meeting.
2. The Council may vote and/or act upon each of the items listed in this Agenda except for discussion items.
3. The Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

This is to certify that this Agenda was duly posted on the glass of the front door of the City Hall, facing the outside, the City's website at www.cityoflavon.com and on the City Hall bulletin board, on or before 6:00 PM on December 6, 2016.



Rae Norton, Interim City Administrator | City Secretary

Removed from posting: _____

signed _____



Minutes
November 15, 2016
City of Lavon City Council
Lavon City Hall, 120 School Rd., Lavon, TX
Regular Meeting – Executive Session

1. MAYOR TESKE CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.

ATTENDING: CHUCK TESKE, MAYOR
VICKI SANSON, PLACE 1
JASON ARNOLD, PLACE 3
MINDI SERKLAND, PLACE 5

ABSENT: MATT CHILDERS, MAYOR PRO TEM, PLACE 4

VACANT: PLACE 2

2. MAYOR TESKE LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.

3. CITIZENS COMMENTS

Citizen Ryan Lisko requested information regarding drainage and flooding issues.

4. CONSENT AGENDA

A. Approve the Minutes of the November 1, 2016 Meeting.

B. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 10/30/16 and authorize the payment of invoices included therein.

MOTION: APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION MADE: SERKLAND

SECONDED: SANSON

APPROVED: UNANIMOUS (

5. CANVASS OF ELECTION

This item was- deferred to the next meeting.

6. ISSUANCE OF OATH OF OFFICE TO NEWLY ELECTED COUNCIL MEMBERS

This item was deferred to the next meeting.

7. Presentation

Council Member Jason Arnold was recognized for his dedication and service to the City of Lavon.

8. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Council member Sanson noted that the EDC Small Business Christmas Bazaar will be November 26th from 12pm-6pm. City of Lavon Christmas Tree Lighting Celebration will be December 3rd at 6:30pm.

9. STAFF REPORTS

- A. **Police Department-** Chief Mike Jones discussed monthly traffic enforcement, calls for service and crime statistics from data received between October 2015 and October 2016. Chief Jones suggested residents be diligent in locking doors to homes and vehicles.
- B. **Fire Department-** Director Jon Scott reported on participation in the recent Lake Lavon Emergency Action Plan (EAP) drill and the recent quarterly Collin County Emergency Management (EM) meeting. Director Scott informed the Council that the Storm Sirens are scheduled to be installed November 30, 2016. Director Scott also informed the Council of the record number of calls for the Volunteer Fire Department at 82 calls in the month of October.
- C. **Public Works-** Director Sonny Mancias reported on maintenance at the Orbit lift station as well as the problem with grease and waste being dumped into the drains. Director Mancias also reported that he was working with Mario Sinacola in regards to drainage near Geren Rd. Council member Serkland thanks Mr. Mancias for installing the new stop signs in Grand Heritage Main, noting she had received many words of appreciation from the residents regarding this.
- D. **Administration-** City Administrator Kim Dobbs noted the Financial Outlook was in the packet and that in the City is in the beginning of the 2016-17 fiscal year. She also informed the Council of the City's new Health Inspector and his efforts in checking and following up with the annual food service establishment inspections. Reports will be included in future packets and posted after completion. Ms. Dobbs commended the administration and public works staff for their outstanding efforts relating to the Historical Marker Unveiling Ceremony.

10. DISCUSSION

Discuss possible application to the Texas Department of Agriculture for a 2017/18 Texas Community Development Block Grant (TxCDBG), including program guidelines and requirements.

Melinda Smith from Amazing Grants along with Mary Kay Thomas, president of Amazing Grants informed the council of the opportunities for funding apital projects through various grant programs. She informed the council of the timeline for the application process and gave the deadline of February 2017 for the initial grant to be filed.

11. DISCUSSION AND ACTION

- A. **Presentation, discussion and action regarding Resolution No. 2016-11-03 authorizing the creation of the North Central Texas Regional 9-1-1 Emergency Communications District.**

Mark Brown, North Central Texas Council of Governments (NCTCOG) provided information regarding the efforts of the 9-1-1 Regional Advisory Committee and the implications for the City of Lavon.

MOTION: APPROVE RESOLUTION NO. 2016-11-03 AUTHORIZING THE CREATION OF THE NORTH CENTRAL TEXAS REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT.

MOTION MADE: ARNOLD
SECONDED: SANSON
FOR: UNANIMOUS
 Absent: CHILDERS

- B. Discussion and action to appoint the Selection Review Committee to perform procurement of professional services for the City's anticipated 2017/18 TxCDBG application and project.

MOTION: APPOINT MAYOR CHUCK TESKE, MAYOR PRO TEM MATT CHILDERS AND CITY ADMINISTRATOR KIM DOBBS TO THE SELECTION REVIEW COMMITTEE TO PERFORM PROCUREMENT OF PROFESSIONAL SERVICES FOR THE CITY'S 2017/18 TxCDBG APPLICATION PROJECT.

MOTION MADE: SERKLAND
SECONDED: SANSON
FOR: UNANIMOUS
Absent: CHILDERS

- C. Discussion and action regarding Resolution No. 2016-11-04 approving and authorizing the Mayor to execute the Code of Conduct Policy for the City's anticipated 2017/18 TxCDBG application and project.

MOTION: APPROVE RESOLUTION NO. 2016-11-04 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CODE OF CONDUCT POLICY FOR THE CITY'S 2017/18 TxCDBG APPLICATION AND PROJECT.

MOTION MADE: SERKLAND
SECONDED: SANSON
FOR: UNANIMOUS
Absent: CHILDERS

- D. Discussion and action regarding Resolution No. 2016-11-05 approving the Collin County Emergency Management Plan and appointing the Emergency Management Coordinator for the City of Lavon.

MOTION: APPROVE RESOLUTION NO. 2016-11-05 APPROVING THE COLLIN COUNTY EMERGENCY MANAGEMENT PLAN AND APPOINTING JON SCOTT AS THE EMERGENCY MANAGEMENT COORDINATOR FOR THE CITY OF LAVON.

MOTION MADE: SANSON
SECONDED: ARNOLD
FOR: UNANIMOUS
Absent: CHILDERS

- E. Discussion and action regarding Resolution No. 2016-11-06 authorizing the cancellation of the Payment Services and Indemnity Agreement entered into by and between Global Payments and the Heritage Public Improvement District (PID) #1

MOTION: APPROVE RESOLUTION NO. 2016-11-06 AUTHORIZING CANCELLATION OF THE PAYMENT SERVICE AND INDEMNITY AGREEMENT ENTERED INTO BY AND BETWEEN GLOBAL PAYMENTS AND THE HERITAGE PUBLIC IMPROVEMENT DISTRICT (PID) #1.

MOTION MADE: SERKLAND
SECONDED: SANSON
FOR: UNANIMOUS
Absent: CHILDERS

- F. Discussion and action regarding Resolution No. 2016-11-07 authorizing the Mayor to execute a Payment Services Agreement by and between First Billing Services, L.L.C. and the Heritage Public Improvement District (PID) #1.

MOTION: APPROVE RESOLUTION NO. 2016-11-07 AUTHORIZING THE MAYOR TO EXECUTE A PAYMENT SERVICES AGREEMENT BY AND BETWEEN FIRST BILLING SERVICES, L.L.C. AND THE HERITAGE PUBLIC IMPROVEMENT DISTRICT (PID) #1

MOTION MADE: SERKLAND
SECONDED: ARNOLD
FOR: UNANIMOUS
Absent: CHILDERS

12. EXECUTIVE SESSION

There was no Executive Session.

13. RECONVENE INTO REGULAR SESSION

There was no Executive Session.

14. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

The Council called a special meeting for Monday, 11/21/2016 at 6:00 p.m. to canvass November election results.

Future meetings: Serkland- Septic System Enforcement & look at the options for more stop signs on Bently Farms.

15. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 8:04 p.m.

Duly passed and approved on this _____ 2016.

Charles A. Teske, Jr., Mayor

Attest:

Kim Dobbs, City Administrator | City Secretary



CITY OF LAVON

City Council

Agenda Brief

MEETING: December 6, 2016

ITEM: 7 & 8A

Item:

7. PUBLIC HEARING

Receive input regarding the application of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas.

1. Presiding Officer to open the Public Hearing.
2. Presiding Officer to open floor to Public Comment for or against the application.
3. Presiding Officer to close floor to Public Comment.
4. Presiding Officer to close the Public Hearing.

8A. DISCUSSION AND ACTION

A. Discussion and action regarding Ordinance No. 2016-12-01 the application of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas.

Background:

In conjunction with the development of Traditions at Grand Heritage West development and in accordance with Ordinance No. 2004-09-05 (PD – Grand Heritage), GM Construction TX has submitted an application for a specific use permit (SUP) for a batch plant for construction of the development's streets and infrastructure.

Appropriate notice was published and neighbor notices were provided to owners of property within 200 feet of the site. No indications of opposition have been received.

Commission recommendations may be made with regard to times of operations and dust control.



CITY OF LAVON

120 School Road ~ P.O. Box 340

Lavon, TX 75166

Phone (972) 843-4220 ~ Fax (972) 843-0397

leann.mcclendon@cityoflavon.org

Request for a Change in Zoning

Fee: \$300.00 plus \$10.00 per acre on a tract of land

GM CONSTRUCTION TX 10-7-16
Applicants Name Date

GLENN MIDKIFF 214-629-8035
Representative or Agent Phone Number

PO BOX 851 PROSPER, TX 75078
Street City, State, Zip

9865-11175 COUNTY ROAD 484, LAVON, TX 75166
Location of Property

20.098 ACRES SITUATED IN THE
PRURY ANGLIN SURVEY, ABSTRACT NO. 2 RESIDENTIAL
Legal Description of Property Current Zoning

Check which zoning category you wish to change to:

Lot Size: ☐ 1/2 acre or more ☐ 3/4 acre or more ☐ 1 acre or more

☐ Single Family - 1 (1800 sq. ft. min. home)

☐ Retail

☐ Single Family - 2 (1500 sq. ft. min. home)

☐ Business District 1 / 2

☐ Single Family - 3 (1200 sq. ft. min. home)

☐ Planned Development

☒ Special Use Permit

☐ Mobile Home District

☐ Other: _____

1. Beer & Wine - \$500.00 per year (or any portion of a year) each such permit shall be renewed each year on January 1st. Renewal fees shall be the same amount as the original fee.

2. Other - \$100.00 plus any inspections. This includes Christmas tree sales, outside commercial sales, construction shacks, sales trailers, or similar uses.

Signature of Applicant or Representative: Glenn Midkiff

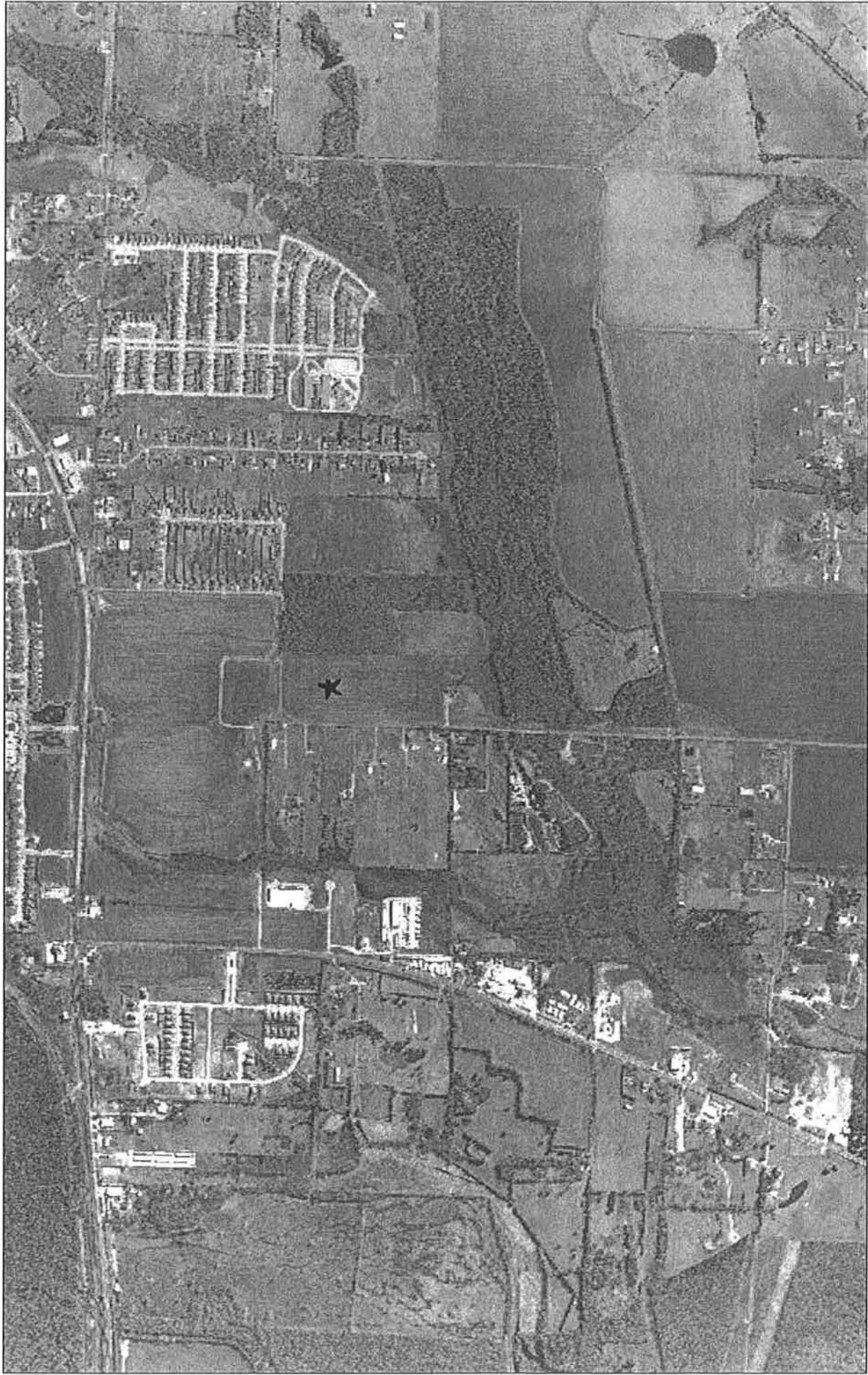
* Cost shall include: Actual cost to City plus a 10% administrative fee. These fees are in addition to required permit fee.

For Office Use Only

Date Received: _____ Date Paid: _____ Fee Paid: _____

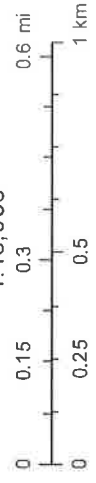
Next P & Z Meeting: _____ Next City Council Meeting: _____





November 23, 2016

1:18,056



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey,

From: Glenn Midkiff [<mailto:gmidkiff@gmconstructiontx.com>]

Sent: Friday, November 18, 2016 6:42 PM

To: Leann McClendon <leann.mcclendon@cityoflavon.org>

Subject: FW: GM's next plant site request for approval - Traditions @ Grand Heritage, Lavon , TX

Glenn Midkiff, President

GM Construction TX.

(214) 629-8035

ATTENTION: PLEASE NOTE A CHANGE IN MAILING ADDRESS

PO Box 851

Prosper, TX 75078



From: Greg Jones [<mailto:Greg.Jones@tceq.texas.gov>]

Sent: Friday, November 18, 2016 4:34 PM

To: Glenn Midkiff

Subject: RE: GM's next plant site request for approval - Traditions @ Grand Heritage, Lavon , TX

Mr. Midkiff,

On November 10, 2016, the Texas Commission on Environmental Quality (TCEQ) DFW Region Office Air Program received a notification for Midkiff Holdings, LLC, to relocate a concrete batch plant to a location southwest of the intersection of County Road 484 and Green Drive in Lavon, Collin County, Texas (Traditions at Grand Heritage West project). Your notification indicated that the concrete batch plant will be used to support a public works project, and will be located in or contiguous to the project right of way. The relocation notification has been logged into the Regional Database and meets the administrative requirements. An approval letter from the TCEQ is not required for this relocation.

Please contact me if you have any questions or if you need additional assistance.

Sincerely,

Greg Jones

Environmental Investigator, Air Section

DFW Regional Office

Texas Commission on Environmental Quality

Phone: 817-588-5863

Fax: 817-588-5702

Email: Greg.Jones@tceq.texas.gov





**CITY OF LAVON, TEXAS
NOTICE OF PUBLIC HEARINGS BEFORE THE
PLANNING AND ZONING COMMISSION
AND THE
CITY COUNCIL**

Notice is hereby given that the Planning and Zoning Commission of the City of Lavon, Texas will hold a public hearing at a meeting that begins at 7:00 p.m. on Tuesday, November 29, 2016 at Lavon City Hall, 120 School Road, Lavon, Texas regarding a request for a Special Use Permit (SUP).

Further notice is given that, a second public hearing is scheduled regarding the request and the recommendation of the Planning and Zoning Commission. The public hearing will be held by the City Council at a meeting that begins at 7:00 p.m. on Tuesday, December 6, 2016 at Lavon City Hall.

At such times and place, the Commission and the Council will hear and take action on the application of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on a tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484.

Collin CAD Reference: Property ID 2732589; Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, 20.098 Acres

Interested citizens are invited to attend the public hearings and participate in the same.

If you have questions regarding this matter, please contact LeAnn McClendon at 972-843-4220.

Thank you,

City of Lavon
October 13, 2016

«First_Name» «Last_Name»
«Address_Line_1»
«City», «State» «ZIP_Code»

«Property_Description»

Name	Address	Mailing Address	Legal Description
Stanley Charles	10332 CR 484 Lavon, TX	P.O. Box 268 Lavon, TX	Abs A0121 Bonham Survey, Tract 7
Frank D. & Delores I. Mosley	10338 CR 484 Lavon, TX	Same	Abs A0121 Bonham Survey, Tract 8
Venus L. Wilson & Megan L. Nolen	10398 CR 484 Lavon, TX	Same	Abs A0121 Bonham Survey, Tract 9
Johnny Lynn McKown	10446 CR 484 Lavon, TX	P.O. Box 44 Lavon, TX	Abs A0121 Bonham Survey, Tract 60
Johnny & Rhonda Sorrells	10482 CR 484 Lavon, TX	Same	Abs A0121 Bonham Survey, Tract 63
Sharlene Violet Cleveland	10556 CR 484 Lavon, TX	P.O. Box 119 Lavon, TX	Abs A0121 Bonham Survey, Tract 42
James Leslie & Peggy Marie Brannon	10572 CR 484 Lavon, TX	11770 Caddo Creek Dr. Lavon, TX	Abs A0121 Bonham Survey, Tract 2
Robert A. York	10628 CR 484 Lavon, TX	P.O. Box 130 Lavon, TX	Abs A0121 Bonham Survey, Tract 4
George F. Lii Moslener	10690 CR 484 Lavon, TX	Same	Abs A0121 Bonham Survey, Tract 1

City of Lavon
Notice of Public
Hearings

Notice of Public Hearings before the Lavon Planning and Zoning Commission and City Council: Notice is hereby given that the Planning and Zoning Commission will hold a public hearing starting at 7:00 PM, Tuesday, November 29, 2016 at Lavon City Hall, 120 School Rd., Lavon, TX. Further notice is given that the City Council will hold a public hearing starting at 7:00 PM, Tuesday, December 6, 2016 at Lavon City Hall. The Commission and the Council will hear and take action on the application of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the

Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas. The City may continue the public hearing should an applicant so request. Citizens are invited to attend and participate in the public hearings. Special notice will be given to owners of property within 200' of the subject property. Additional information regarding the application may be obtained by calling 972-843-4220.



City of Lavon
Planning and Zoning Commission
Chairman ~ David Rosenquist

P.O. Box 340 ~ 695 Main St. #400 ~ Lavon, TX 75166
Office (972) 843-4220 ~ Fax (972) 843-0397

November 29, 2016

RE: Zoning Request by GM Construction.
Specific Use Permit Temporary Batch Plant

Dear Mayor and Council Members,

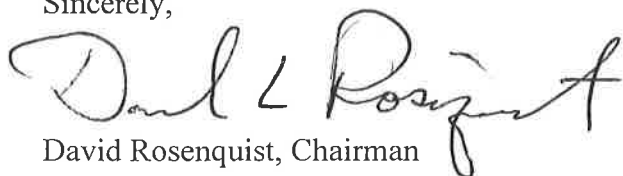
On November 29, 2016, the Planning and Zoning Commission conducted a meeting with a quorum present. A Public Hearing was held to receive comments for or against a zoning request for the temporary specific use permit, for the purpose of a temporary concrete batch plant. This request was made by GM Construction.

The Commission heard and took action for the Specific Use Permit Application to construct a Temporary Concrete Batch Plant on a tract of land situated Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The proposed plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas, with the following Authorizations set forth in Ordinance NO. 2016-12-01:

- A. That the time period of the Specific Use Permit shall be the earlier of eighteen months from the effective date of the City's final acceptance of improvements.
- B. That the applicant shall maintain the dust control related to batch plant operations at all times.
- C. That an advance of traffic control plan and warning signs shall be in place at all times.
- D. That the plant hour of operation shall be limited to 6:00 a.m. to 7:00 p.m. seven days per week.

The Planning and Zoning Commission voted to recommend approval of the application for the temporary specific use permit.

Sincerely,



David Rosenquist, Chairman



CITY OF LAVON

City Council

Agenda Brief

MEETING: December 6, 2016

ITEM: 8 B

Item:

Discussion and action regarding the final plat of the Lakeview Cemetery Addition consisting of a single lot on 2.27 acres in the Thomas F. Roberts Survey, Abstract No. 781, Collin County, Texas and situated northwest of the intersection of CR 486 and North Highway 78.

Background:

Owner(s): Charles W. Smith

Applicant: Charles W. Smith

Location: Situated on the northwest of the intersection of Highway 78 and FM 6 (Lake Rd.)

Description: 2.27 acres in the Thomas F. Roberts Survey, Abstract No. 781, Collin County, Texas

Zoning: Not Applicable; parcel is in the extraterritorial jurisdiction (ETJ) of the City

Request: Final Plat approval

The applicant submitted an application and final plat for approval. The plat was reviewed by the City's consulting engineer and the engineer's comments have been addressed. Where applicable, the engineer reviewed the applicant's plans for water, sewer and drainage. The City of Lavon has jurisdiction regarding plats in the City's ETJ. The applicant provided, for informational purposes, a copy of the site plan. The City does not have zoning authority in the ETJ and is not considering the site plan. Staff and Planning & Zoning Commission recommends approval of the plat.

Attachments:

1. Application for Final Plat
2. Final Plat
3. Location Exhibits
4. Engineer's correspondence

December 6, 2016

CITY OF LAVON, TEXAS
ORDINANCE NO. 2016-12-01

Specific Use Permit – Concrete Batch Plant

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AMENDING THE CODE OF ORDINANCES TO GRANT A SPECIFIC USE PERMIT FOR CONSTRUCTION OF A TEMPORAY CONCRETE BATCH PLANT; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon recognizes the need for ongoing development of the City, and that because of such development, an amendment of the zoning ordinance may occasionally be required; and

WHEREAS, the City of Lavon has received an application of GM Construction TX for a Specific Use Permit (SUP) to construct a Temporary Concrete Batch Plant on Abs A0002 Drury Anglin Survey, Sheet 3, Tract 144, (CCAD Property ID 2732589); a 20.098-acre tract of land situated in the Traditions at Grand Heritage West addition and located north of the Bear Creek Wastewater Treatment Plant. The plant location is approximately 900 feet south of CR 484 and approximately 240 feet east of CR 484, Lavon, Collin County, Texas; and

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Lavon, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Lavon, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the City of Lavon Code of Ordinances be amended as follows:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS THAT:

SECTION 1. Findings.

It is hereby officially determined that the findings and recitations contained above in the preamble of this ordinance are true and correct and are incorporated herein by reference.

SECTION 2. Authorization.

- A. That the City of Lavon Code of Ordinances, Zoning Code, Ord. No. 2004-09-05, as heretofore amended, and the same is hereby amended so as grant a Specific Use Permit on the property described herein to permit construction of a temporary concrete batch plant for the purpose of constructing infrastructure within the development and constructing, repairing, or reconstructing public infrastructure within the vicinity of the development as approved by the Director of Public Works.

- B. That the time period for the Specific Use Permit shall be the earlier of eighteen (18) months from the effective date or the City's final acceptance of the improvements.
- C. That the applicant shall proactively maintain dust control related to batch plant operations at all times.
- D. That the plant hour of operations shall be limited to 6:00 a.m. to 7:00 p.m. seven days per week.

SECTION 3. **Severability Clause.**

It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

SECTION 4. **Cumulative Clause.**

This ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5. **Public Meeting.**

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

SECTION 6. **Effective Date.**

This ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Lavon, Texas, this 6th day of December, 2016.

Charles Teske, Mayor

ATTEST:

Kim Dobbs, City Administrator/City Secretary



CITY OF LAVON

P.O. Box 340 - 120 School Rd. - Lavon, TX 75166
Office 972-843-4220 - Fax 972-843-0397 - Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Company Making Submission		Property Owner	
Name:	Charles W. Smith	Name:	Charles W. Smith
Address:	2925 5th St	Address:	2925 5th St
City/State/Zip:	Sachse, TX 75048	City/State/Zip:	Sachse, TX 75048
Phone #:	214 212 2255	Phone #:	
Fax #:		Fax #:	
Authorized Person:	Charles W. Smith	Authorized Person:	

Type of Submission	Date	Check List of Items Submitted
<input type="checkbox"/> Preliminary Plat		<input type="checkbox"/> (two) full size sets of plats (24x36)
<input checked="" type="checkbox"/> Final Plat		<input type="checkbox"/> (two) full size construction sets (24x36)
<input type="checkbox"/> Re-Submittal		<input type="checkbox"/> (one) half size sets of plats (11x17)
<input type="checkbox"/> Construction Plans		<input type="checkbox"/> (ten) half size sets of plats with final submission (11x17)
<input type="checkbox"/> Other		<input type="checkbox"/> (one) PDF plats (on separate CD's)
		<input type="checkbox"/> (one) PDF construction plans (can be included on plat CD)

Pricing

Preliminary Plat: C*D*	\$325.00 plus \$5.00 per lot (Plus engineer review costs)
Final Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs) \$962.50
Re-Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs) 200 full
Public Infrastructure Inspection: C*E*	4 percent of project or Cost (whichever is greater)

C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required.
D* A deposit of \$500.00 shall be required to cover engineers review, with additional costs to be billed upon engineers recommendation. Any portion of the deposit not used shall be refunded after the engineer's recommendation.
E* An estimate of the testing and inspection shall be made at the time of the engineers review of construction plans and a deposit equal to that amount shall be due before any construction may begin, with additional costs to be billed when the costs are incurred.

NOTICE TO APPLICANT: Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances (# 2002-01-03) and any other applicable ordinances of the City, regardless of information and/or plans submitted.

Authorized Representative (Printed Name): Charles W. Smith	Authorized Representative (Signature): Charles W. Smith	Date: 10/19/16
--	---	----------------

To be completed by the City					
In-Takers Name:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Rejected	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected
Comments:					

VICINITY MAP - NOT TO SCALE



PARCEL CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	22.82'	5000.35'	110° 27' 56" E 22.82'

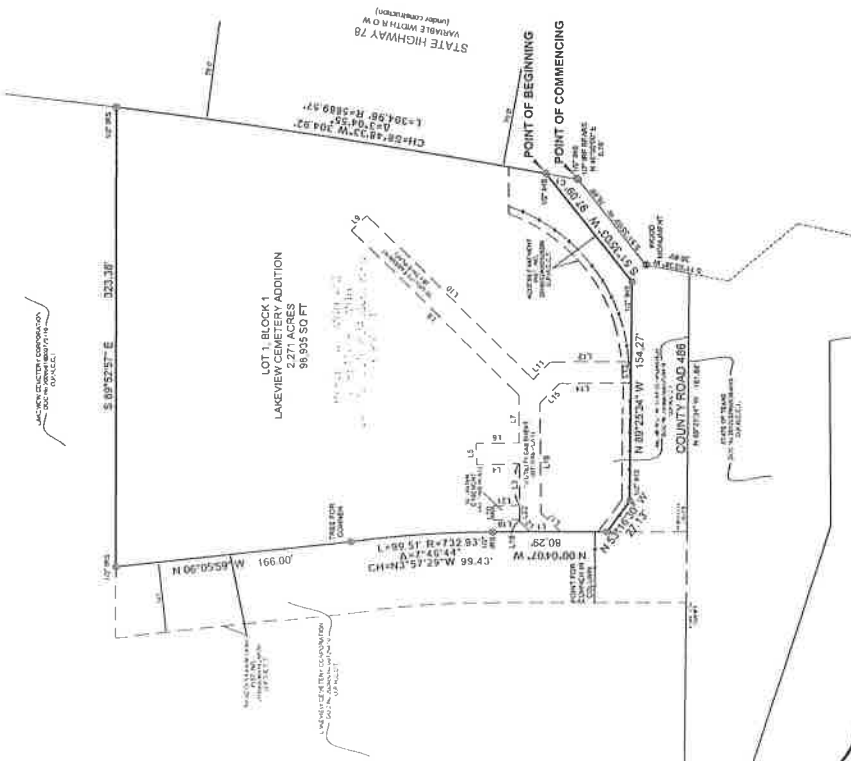
ST. UTILITY BASEMENT			WATER EASEMENT		
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L18	77.26'	S45°32'48"W	L18	1.67'	N09°22'48"E
L19	18.23'	S44°02'48"W	L19	38.48'	S62°37'11"W
L20	11.17'	S44°02'48"W	L20	16.50'	N09°22'48"E
L21			L21	18.48'	S02°37'11"E
L22			L22	11.00'	S09°22'48"W

LINE #	LENGTH	DATE CHORD	STATIONING
6.17	16.86	9-5-27 11:15	9452711.15
6.18	36.81	10-27 11:15	10452711.15
6.19	13.00	10-27 23:24	10452723.24
6.20	35.32	10-27 11:16	10452711.16
6.21	19.45	10-27 11:16	10452711.16

UTILITY/EVENT LINE TABLE		
#	LENGTH	DIRECTION
30.11	N0-271.17W	
30.62	N00-32.68E	
104.32	N44-32.48E	
15.01	S42-11.43E	
162.73	S44-32.40W	

TESTING ELEMENT		TEST VALUE	
TIME	0.10	0.10	0.10
LB	1.0	1.0	1.0
LB	1.0	1.0	1.0
LB	1.0	1.0	1.0
LB	1.0	1.0	1.0
LB	1.0	1.0	1.0

JACQUES GUYOT & COMPANY
DEC 1964 1000 72 110
O.P.A.C.C.



KNOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS.

THAT CHIEF CLERK AND LORRAINE P. SMITH, who hereby are the duly designated the respective authorized agents in and for the City of Laramie, do hereby certify that the foregoing is a true and correct copy of the resolution of the City of Laramie, as the same appears in the minutes of the City of Laramie, and that the same was duly adopted and passed upon by the City of Laramie, and that the same is hereby being presented to the City of Laramie for its ratification and approval.

No conflicting laws, rules, regulations or other improvements or provisions shall be introduced or placed upon a vote of the City of Laramie.

Witness my hand and the seal of the City of Laramie, this 14th day of August, 2016.

LORRAINE P. SMITH, City Clerk

CHIEF CLERK, City of Laramie

WITNESSES, my hand, this _____ day of _____, A.D. 2016.

LORRAINE P. SMITH, City Clerk

CHIEF CLERK, City of Laramie

NOTARY PUBLIC

STATE OF WYOMING

I, _____, Notary Public in and said City and State, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he was the said _____, and that he executed the foregoing instrument for the purposes and consideration therein expressed, and I affixed my official seal.

Notary Public, State of Wyoming

THESE RESULTS ARE IN ACCORD WITH THE FINDINGS OF OTHER STUDIES THAT HAVE SHOWN THAT THE USE OF A SINGLE-STEP PROCESS IS MORE EFFECTIVE THAN A TWO-STEP PROCESS IN IMPROVING STUDENT PERFORMANCE.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

WITNESS my hand this day of 2015

day of
EXERCISED IN
AD 2016

NOTARY PUBLIC
Coretta R. Smith

STATE OF TEXAS

BEFORE ME, the undersigned, a Notary Public in and said County and State, on this day personally appeared Linda R. Smith, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged that the same was the act of the said Charles W. Smith, that he was duly authorized to perform the same by appropriate resolution of the board of directors of said company for the purposes also consideration herein expressed, and to the capacity

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

A vertical ruler scale with markings from 0 to 10 cm. The markings are in millimeters, with major ticks every centimeter and minor ticks every millimeter. The scale is oriented vertically, with 0 at the top and 10 at the bottom.

The undersigned, the City Secretary of the City of Laredo, Texas, hereby certifies that the foregoing final plan of the LAREDO CEMETERY ADDITION, an addition to the City of Laredo was submitted to the City Council on the 11th day of January, 2016 and the council, by formal action, then and there accepted the dedication of streets, alleys, paths, easements, public places and water and sewer lines as shown and set forth in and upon said plan and said board further certified the mayor to take the action herein provided for by signing and affixing his official seal and the City Secretary to attest the same.

Witness my hand this	day of	2018
----------------------	--------	------

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Journal compilation © 2006 Blackwell Publishing Ltd

STATE OF TEXAS

THAT I, Gary E. Johnson, do hereby certify that I prepared this plat from an actual and accurate survey on the ground of property and that all block monuments and corners were placed under my personal supervision, and in accordance with the rules and regulations of the City of Texas.

PRELIMINARY, this document shall not be recorded for any purposes and shall not be used or viewed or relied upon as a final document. (11/03/2016)

Gary E. Johnson
 Graduate School of Education, University of Illinois at Chicago, Chicago, IL 60607

NOTARY PUBLIC
STATE OF TEXAS

BEFORE ME, the undersigned, a Notary Public in and said State on this date personally appeared Gary E. Johnston, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

2011
 I HAVE GIVEN UNDER MY HAND AND SEAL OF OFFICE this
 day of _____

executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2016.

FINAL PLAT
LAKEVIEW CEMETERY ADDITION
LOT 1, BLOCK 1

TEXAS HERITAGE
SURVEYING, LLC



10001 Metcalf Drive, Suite 140, Dallas, TX 75243
Office 214 346 7700 Fax 214 346 7710
Internet: info@cmi.com
E-mail: cmi@cmi.com



CITY OF LAVON

P.O. Box 340 - 120 School Rd. - Lavon, TX 75166
Office 972-843-4220 - Fax 972-843-0397 - Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Declaration of Ownership

Date: 10/19/16

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, _____, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, for the purpose of any future proposed request (s) relating to this property.

Charles W Smith
Signature (Owner)

Signature (Owner)

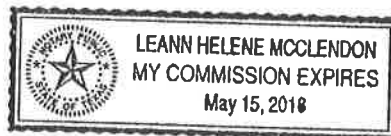
Signature (Owner)

The State of Texas
County of Collin

Before me, the undersigned authority, appeared Charles Smith,
on this the 19 day of October, 20 16.

(notary seal)

LeAnn Helene McClendon



Notary Public in and for Collin County, Texas



CITY OF LAVON

P.O. Box 340 - 120 School Rd. - Lavon, TX 75166
Office 972-843-4220 - Fax 972-843-0397 - Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Authorization of Representation

Date: 10/19/16

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, _____, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize _____ to represent me (us) and my (our) interests in the property described in the attached exhibits (s) for the expressed purpose of this request.

Charles Smith
Signature (Owner)

Signature (Owner)

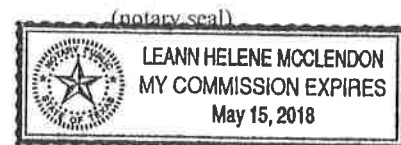
Signature (Owner)

The State of Texas
County of Collin

Before me, the undersigned authority, appeared Charles Smith,
on this the 19 day of October, 2016.

Leann Helene McClendon

Notary Public in and for Collin County, Texas



Kim Dobbs

From: Charles W. Smith <charles@cwsfuneralhome.com>
Sent: Friday, October 21, 2016 4:55 PM
To: Kim Dobbs
Subject: RE: Lakeview Cemetery Addition

Yes this is my request for the 30 day extension.

Thank You,

Charles Smith

From: Kim Dobbs [mailto:kim.dobbs@cityoflavon.org]
Sent: Friday, October 21, 2016 4:48 PM
To: charles@cwsfuneralhome.com
Cc: Leann McClendon <leann.mcclendon@cityoflavon.org>
Subject: FW: Lakeview Cemetery Addition

Mr. Smith,

This message will confirm our phone conversation this afternoon in which we discussed that you will be unable to attend the P&Z Commission meeting on October 25 to answer questions regarding your final plat application and we also discussed that the City has not yet received a document that is appropriately labeled "final plat" to provide to the P&Z Commission.

For these reasons, I am writitng to confirm that you wish to waive the requirement that the plat be acted on by the Planning & Zoning Commission and/or the City Council within 30 days under the provisions of the Texas Local Government Code, Section 212.009, and that you understand and agree that the plat will be considered when it is administratively complete. We discussed that the final plat is calendared for November 29, the next P&Z Commission meeting.

If you could, please reply that this is in fact your request.

Thank you,
Kim

Kim Dobbs
City Administrator | City Secretary
City of Lavon
972-843-4220
kim.dobbs@cityoflavon.org



ENGINEERING MEMORANDUM

DATE: October 03, 2016

SUBJECT: Backcheck (Preliminary Plat & Plans – Lakeview Cemetery Addition Lot1, Blk. 1)

TO: LeAnn McClendon (City of Lavon – City Services Coordinator)

FROM: Adams Engineering – Dennis Lang PE

On September 23, 2016, the City of Lavon requested by letter that Adams Engineering review the revised Preliminary Plat and Development Plans for Lakeview Cemetery Addition, Lot 1, Block 1, to determine if it is substantially complete in accordance with Ordinance 2002-01-03. Included with the letter request was 1 set of Development plans (24"x36").

The following Engineering comments of May 4, 2016 had all been addressed, as annotated, on the new review set:

1. In accordance with the ordinance, Adams recommends that the City request of the applicant a copy of the traverse calculations of the Preliminary Plat confirming that the error of closure of the subdivision does not exceed one in ten thousand (1:10,000). *(Still recommended for Preliminary Plat and Final Plat.)*
2. Add additional easement to the plat to match waterline plan. *(Done)*
3. Development Plans and Preliminary Plat should have consistent names for the subject Lot description. (Note Plat has different name than plans for the proposed subdivided lot.) *(Done)*
4. Recommend that City of Lavon be provided copies of required TxDOT permits prior to construction. *(Not received. Still recommended.)*
5. Recommend City require a Landscape Plan in accordance with Section 5.1 of 1997-12-08 Comprehensive Zoning Ordinance. *(Not received. Still recommended.)*
6. Edit C101 to fill in required and provided landscape areas. *(Done)*
7. Edit C101 to indicate None Existing under Zoning. *(Done)*
8. Edit C101 to insure RCP and not CMP on culvert callout. *(Done)*
9. On C102, suggest engineered plan for proposed septic tank/ drain field be provided by somebody before approved. *(By others, still recommend plan be submitted by somebody.)*
10. On C104, check grading in parking lot west of building. (may hold water) *(Done)*
11. On C105A check Freeboard overflow elevation in "Pond Summary" box. *(Done)*

Summary

After cursory review of the revised Preliminary plat and Plans package we find it to be substantially complete. We recommend the City approve the preliminary plat and development plans.



City of Lavon
Planning and Zoning Commission
Chairman ~ David Rosenquist

P.O. Box 340 ~ 695 Main St. #400 ~ Lavon, TX 75166
Office (972) 843-4220 ~ Fax (972) 843-0397

November 29, 2016

RE: Charles W. Smith
Lakeview Cemetery Final Plat

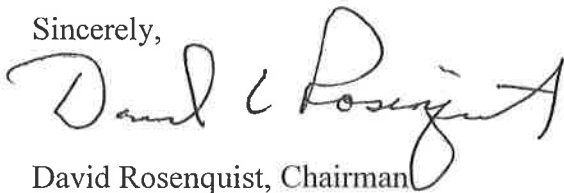
Dear Mayor and Council Members,

On November 29th, 2016, the Planning and Zoning Commission conducted a meeting with a quorum present. The applicant, Charles W. Smith, submitted an application and final plat for approval. The plat was reviewed by the City's consulting engineer and the engineer's comments have been addressed. Where applicable, the engineer reviewed the applicant's plans for water, sewer and drainage. The City of Lavon has jurisdiction regarding plats in the City's ETJ.

The Commission discussed and took action regarding the final plat of the Lakeview Cemetery Addition consisting of a single lot on 2.27 acres in the Thomas F. Roberts Survey, Abstract No. 781, Collin County, Texas and situated northwest of the intersection of CR 486 and North Highway 78.

The Planning and Zoning Commission voted to recommend approval of the Lakeview Cemetery Final Plat.

Sincerely,



David Rosenquist, Chairman



Michael Conway, CPA
Neil Conway, CPA

Toll Free (800) 594-7951
Metro (903) 450-1200

CONWAY COMPANY CPAs PC

ACCOUNTANTS & ADVISORS

www.conwaycpas.com

PO Box 8234
Greenville, Texas 75404-8234

Member
American Institute of CPAs
Texas Society of CPAs

November 17, 2016

City of Lavon

Mayor and City Council
P O Box 340
Lavon, Texas 75166

We are pleased to confirm our understanding of the services we are to provide for the City of Lavon for the year ending September 30, 2016. We will audit the financial statements of the governmental activities, the business-type activities, discretely presented component unit, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City of Lavon as of and for the fiscal year ending September 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Lavon's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Lavon's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist principally of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. General Fund Budgetary Comparison Schedule
3. Fiduciary Fund Statements
4. Schedule of Pension Trust – TMRS
5. Schedule of Changes in Net Pension Liability - TMRS

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Lavon's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the basic financial statements:

1. Component Unit Fund Statements – EDC, TIF
2. Combining Statements

RECEIVED

NOV 21 2016

CITY OF LAVON

1021 Park Street
Commerce, Texas 75428
Office (903) 886-2123
Fax (903) 886-6580

8910 Wesley Street
Greenville, Texas 75402
Office (903) 455-9898
Fax (903) 454-3181

603 South Goliad Street
Rockwall, Texas 75087
Office (972) 771-1065
Fax (972) 771-1022

Audit Objective

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinion. We will issue a written report upon completion of our audit of the City of Lavon's financial statements. Our report will be addressed to the Mayor and City Council of the City of Lavon. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditor is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of the audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures – Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control sufficient to assess the risks of material misstatements of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Lavon's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will also assist in preparing the financial statements and related notes of the City of Lavon's in conformity with U.S. generally accepted accounting principles based on information provided by you. We will also perform cash-to-accrual conversion which will require adjustments to the trial balance provided by you along with updating fixed asset listing and calculate depreciation. We will perform the services in accordance with applicable professional standards. Our audit of the financial statements does not relieve you or management of your responsibilities.

Management Responsibilities

Management is responsible for establishing and maintaining internal controls, including evaluating and monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibility includes adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

Management is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing our firm about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal controls, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for the presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period; and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities relating to the financial statement preparation services and related notes and any other nonaudit services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience, evaluate the adequacy and results of the services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will assist with the preparation of cash or other confirmations we may request and will locate any documents selected by our firm for testing.

We will provide copies of our reports to the City of Lavon, Texas; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulations, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Conway Company CPAs, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Conway Company CPAs, P.C. personnel.

Audit documentation for this engagement will be retained for a minimum of five years after the report release date.

We expect to begin audit procedures in late March 2017 and issue our report in June 2017. Susie Erickson is the engagement partner and is responsible for supervising the engagement and is responsible for supervising the engagement.

Our fees for these services will at the amounts below. Our invoices for these fees will be rendered as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes thirty (30) days or more overdue and may not be resumed until your account is paid in full. Should the organization expend \$750,000 or more in federal awards or state funds, the fee for a Single Audit should be approximately \$3,500. The estimated fee for the regular audit without the addition of the single audit requirement is as follows:

City	\$10,500
TIF	<u>1,100</u>
Total	<u>\$11,600</u>

This regular audit fee includes twelve (12) bound financial statements. A PDF of the reports will also be provided. For each additional requested bound copy of the financial statement, there will be an additional \$20 cost for each.

The contemplated fees discussed in this engagement letter are for the audit and the basic reports only. The fees presented include an appropriate time allowance for certain reclassification adjustments, debt reclassifications, depreciation entries plus certain summary adjustments required under GASB or FASB pronouncements.

The contemplated fees do not include the time and costs of curing deficiencies in the accounting records or for bringing incomplete accounting records up-to-date. Management is responsible for the accounting records being reasonably complete and accurate and auditable without major deficiencies.

Management will be advised of any significant deficiencies encountered. Such deficiencies that cannot be addressed by client staff may be resolved by Conway CPAs at our regular rates. If the deficiencies are major (requiring over 20 staff hours), and we are concerned that our independence may be compromised due to the excessive time required, then management will be asked to engage independent third parties to perform the work so that the audit can proceed.

Significant assistance from client staff is an absolute requirement in locating documents, securing copies, finding files, and in general, providing information. Time required by the audit staff to find documents or to pull files without assistance will be billed to the client as an additional cost to the audit. A spirit of cooperation and assistance by client staff is essential. Client personnel are instrumental in conducting an efficient and economical audit.

We request we be allowed to read all printed materials given to outside parties which also include our report.

This information is intended solely for the use of the management of the City of Lavon and is not intended to be and should not be used by anyone other than these specified parties.

We appreciate the opportunity to be of service to the City of Lavon and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign below and return it to us.

Respectfully,
CONWAY COMPANY CPAs PC

Conway Company CPAs, P.C.

RESPONSE:

This letter correctly sets forth the understanding of City of Lavon.

Signature: _____

Print Name & Title: _____

Date: _____